

REMARKS

This Amendment is being filed with a Request for Continued Examination. The Application has been carefully reviewed in light of the Notice of Panel Decision from Pre-Appeal Brief Review dated April 11, 2008 and the Office Action dated August 27, 2007 (“Office Action”). At the time of the Office Action, Claims 1-11, 13-16, 18-36, and 38-52 were pending in the application. In the Office Action, the Examiner rejects Claims 1-3, 5-11, 13-16, 18-28, 30-36, and 38-52. In addition, the Examiner objects to Claims 4 and 29. To advance prosecution of this case, Applicants amend Claims 1, 4, 6, 11, 16, 20-21, 26, 29, 31, 36, 41-42, and 45-52. Applicants do not admit that any amendments are necessary due to any prior art or any of the Examiner’s rejections. Applicants respectfully request reconsideration and allowance of all pending claims.

Section 103 Rejections

The Examiner rejects Claims 1-3, 5-11, 13-15, 21-28, 30-36, 38-40, 46, 47, and 49-52 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,192,404 B1 issued to Hurst, et al. (“*Hurst*”) in view of U.S. Patent No. 6,636,887 issued to Augeri (“*Augeri*”). The Examiner rejects Claims 16, 18-20, 41-45 and 48 under 35 U.S.C. 103(a) as being unpatentable over *Hurst* in view of U.S. Patent No. 5,471,461 issued to Engdahl, et al. (“*Engdahl*”), in view of *Augeri*, and further in view of U.S. Patent No. 6,791,981 B1 issued to Novaes (“*Novaes*”). Applicants respectfully traverse the rejections and request reconsideration and allowance of Claims 1-11, 13-16, 18-36, and 38-52.

The cited references fail to teach, suggest, or disclose each element of amended Claim 1. For example, the cited references fail to teach, suggest, or disclose “calculating a delay period by at least multiplying the delay constant by at least a portion of a network address associated with the at least one node” as recited in amended Claim 1. For at least this reason, Applicants respectfully request reconsideration and allowance of amended Claim 1 and its dependents.

In rejecting Claims 6, 16, 21, 26, 31, 41, and 46-52, the Examiner employs rationale that is similar to that used to reject Claim 1. Therefore, for reasons analogous to those stated above with respect to amended Claim 1, Applicants respectfully request reconsideration and allowance of amended Claims 6, 16, 21, 26, 31, 41, and 46-52 and their respective dependents.

Applicants wish to note that, with respect to all amendments herein, Applicants reserve the right to pursue broader subject matter than that currently claimed through the filing of continuations and/or other related applications.

CONCLUSION

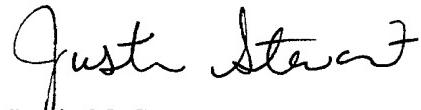
Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Justin N. Stewart, Attorney for Applicants, at the Examiner's convenience at (214) 953-6755.

Although no fees are believed to be due, the Commissioner is authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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